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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/849,956	05/21/2004	Ken Nakano	040237	8030
23850	7590	10/04/2005	EXAMINER	
ARMSTRONG, KRATZ, QUINTOS, HANSON & BROOKS, LLP			TRAN, CHUC	
1725 K STREET, NW			ART UNIT	PAPER NUMBER
SUITE 1000				
WASHINGTON, DC 20006			2821	

DATE MAILED: 10/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

FC

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/849,956	NAKANO ET AL.
	Examiner Chuc D. Tran	Art Unit 2821

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 21 May 2004.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1,2,6,7 and 9-12 is/are rejected.
- 7) Claim(s) 3-5 and 8 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 6/16/04, 5/21/04.
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 1-2,6-7 and 9-11 are rejected under 35 U.S.C. 102(a) as being anticipated by Funabashi Takeshi (JP. 2004-171307).

Regarding claims 1, 6 and 9, Takeshi disclose an authentication device in Fig. 17 and 18 comprising:

- a detection section (12) that detects variance in friction between a finger and a surface of the detection section when relative movement between the surface of the detection section and the finger occurs (Fig. 18) (Abstract); and
- an authentication section (13) that authenticates a person based on time-series data representing variance in friction detected at the detection section (Abstract).

Regarding claims 2, 7 and 11 Takeshi disclose that the detection section (13) comprises a protruded part (34) whose tip touches a finger when relative movement between a surface of the protruded part and the finger occurs (Fig. 17).

Regarding claim 10, Takeshi disclose in Fig. 17 that a supporting section (31) supports placed on the sensor (12), wherein the detection section (13) is located to touch the finger supported by the supporting section.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over O'Gorman et al (US 20030123714).

Regarding claim 12, Takeshi disclose a sensor comprising the detection section as set forth in the claims except the detection section is composed of piezoelectronic element. O'Gorman et al disclose the detection section is composed of piezoelectronic element (Page 2, Col. 2, Line 52). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Takeshi by using the detection section is composed of piezoelectronic element. The ordinary artisan would have been motivated to modify Takeshi in the manner described above in order to provide accurate authentication (O'Gorman et al Page 1, Col. 1, Line 51).

***Allowable Subject Matter***

5. Claims 3-5 and 8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. The following is a statement of reasons for the indication of allowable subject matter:  
Regarding claims 3-5 and 8, the references of the prior art of record fails to teach or

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suggest the combination of the limitation as set forth in the claims: the authentication section comprising: a template storing section, a similarity calculation section, a similarity determination section, and specifically comprising the detection device compresses time series data and wherein the authentication device decompresses the compressed data.

*Citation of relevant prior art*

Prior art Kinnella (USP. 6,914,517) disclose fingerprint sensor with feature authentication.

Prior art Chou (US 20040234110) disclose sweep type fingerprint sensor module and a sensing method thereof.

Prior art Hashimoto (US 20030156744) disclose image input apparatus.

*Inquiry*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chuc D. Tran whose telephone number is (571) 272-1829. The examiner can normally be reached on M-F Flex hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on (571) 272-1834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TC  
September 29, 2005



WILSON LEE  
PRIMARY EXAMINER